

### REMARKS

The applicants appreciate the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

The applicant's appreciate and acknowledge the Examiner's indication that claims 6-8 and 19-20 would be allowable if rewritten in independent form. However, in light of the preceding amendments and the following remarks, the applicants believe that all of the claims of the subject application are allowable.

The Examiner rejects claims 1-3, 5, 9-10, 12, 14-16 and 18 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,634,528 to *Watts et al.* and claims 7 and 17 under 35 USC § 103(a) as being unpatentable over *Watts*.

Independent claim 1 of the subjected application is directed to a building construction using tensional support members comprising a support structure for bearing a compressive load; a support beam borne by said structure, at least one enclosure cell, and at least one tension member mounted to said support beam for suspending said enclosure cell from said support beam

*Watts* is directed to a mobile work station for maintaining an envelope about a portion of a bridge, motive means for positioning the envelope from time to time and scaffolding apparatus for supporting workers and equipment within the envelope.

However, *Watts* fails to disclose at least one tension member mounted to said support beam for suspending the enclosure cell from the support beam. As shown in Fig. 3 of *Watts*, cages 80 are supported on cables 83. However, cables 83 are not mounted to beam 84, but are in fact connected to a device above beam 84. See Col. 4, lines 29-31 of *Watts*. In fact, *Watts* states

“[t]he cages 80 are supported to move vertically on cables 83 which in turn are connected to move horizontally across beams 84”. Col. 4, line 29-31 (emphasis added). Additionally, *Watts* discloses “horizontal movement with a track and wheel means erected over a beam 84”. Col. 4, lines 37-38 of *Watts*.

*Watts* clearly discloses that the cables are not mounted to the support beam, but are connected to a device above the support beam to allow for horizontal movement of the cage 80 and cables 83. Horizontal movement of the cage 80 and cables 83 would be prevented if cables 83 were mounted to beam 84.

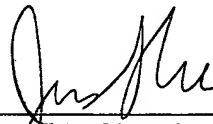
Accordingly, the applicant submits that *Watts* fails to disclose at least one tension member mounted to the support beam for suspending the enclosure cell from the support beam as claimed by the applicant. For at least this reason, independent claims 1 and 14 and dependent claims 2, 3, 5, 9-10, 12 and 15-18 are patentable over *Watts*.

The Examiner also rejects claims 11 and 13 under 35 USC § 103(a) as being unpatentable over *Watts* in view of U.S. Patent No. 6,170,105 to *Doyle et al.* for at least the reasons set forth above, independent claim 1 is patentable over *Watts*. Dependent claims 11 and 13 are also patentable over *Watts* for at least those reasons. Accordingly, claims 11 and 13 are patentable over *Watts* in view of *Doyle*.

Each of the Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781)890-5678.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jason D. Shanske', written over a horizontal line.

Jason D. Shanske  
Reg. No. 43,915